IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI,

THE ACTING CHIEF JUSTICE

and
THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 5993 of 2005

Between:

Darla Suresh Babu, S/o. Late Kanthaiah, Hindu,
Mala Mahanadu (Reg. No. 2377/1997), R/o. Surampalem, H/o. Chanubanda Village, Chatrai Mandal, Krishna District.

..... PETITIONER

AND

1. The District Collector, Krishna Chilakalapudi, Machilipatnam.
2. The Joint Collector, Krishna Chilakalapudi, Machilipatnam.
3. The Revenue Divisional Officer, Nuzvid, Krishna District.
4. Koneru Ranga Rao, S/o. Tataiah @ Surayanarayana,
R/o. Gudavalli, Vijayawada Rural Mandal, Krishna District, Now the Minister for Municipal Administration, Government of A.P. Secretariat, Hyderabad.
5. Koneru Ajay Kumar, S/o. Ranga Rao,
R/o. Gudavalli, Vijayawada Rural Mandal, Krishna District.
6. Koneru @ Lamu Thanthiya Kumari, W/o. Sundar Rao,
ZPTC Member, Kankipadu, Krishna District.
7. Koneru Satish Babu @ Thataiah, S/o. Ramesh,
MPTC Member, Gudavalli, Vijayawada Rural Mandal, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ order or direction more particularly one in the nature of Writ

of Mandamus declaring the action of the 1st and 2nd respondents in not enquiring and not taking any action for cancellation of the caste/reservation certificates issued in favour of the respondents 4 to 8, in spite of several representations, is arbitrary, violative of Principles of Natural Justice and violative of Article 15 & 16 of the Constitution of India and against the statutory provisions of The A.P. (SC, ST & BC) Regulation of Issue of Community Certificates Act, 1993 and the Rules made thereunder and consequently direct the respondents 1 and 2 to enquire into the matter and take steps for cancellation of caste / reservation certificates issued in favour of respondents 4 to 7 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances.

Counsel for the Petitioner: Mr.SREENIVASA RAO VELIVELA

Counsel for Respondent Nos. 1 to 3: G.P. for Revenue and

GP FOR SOCIAL WELFARE

Counsel for Respondent Nos. 4 to 7: Mr.S.Ramachandra Rao

for Mr.K.R.Prabhakar.

The Court at the admission stage made the following :

ORAL ORDER:

(per Hon'ble Sri Bilal Nazki, the Hon'ble the Acting Chief Justice)

Heard learned counsel for the parties.

The grievance of the petitioner is that he has made a representation to the Collector on 7.3.2005 stating that Respondent No.4 has obtained a fraudulent caste certificate. He seeks direction to the Collector to dispose of the matter and seeks direction that the certificate issued in favour of Respondents 4 to 7 be cancelled.

Since the representation has been made by the petitioner to the Collector on 7.3.2005, which has been received on 10.3.2005 and the writ petition is filed on 21.3.2005, it is too early to expect that the Collector could have decided the matter. Therefore, we dispose of this Writ Petition with direction to the Collector to dispose of the representation after hearing all concerned parties and pass appropriate orders

in accordance with law. No costs.

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BILAL NAZKI, ACJ

5.4.2005

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Dr. G.YETHIRAJULU, J.

VR.

To

1. The District Collector, Krishna Chilakalapudi, Machilipatnam.
2. The Joint Collector, Krishna Chilakalapudi, Machilipatnam.
3. The Revenue Divisional Officer, Nuzvid, Krishna District.
4. Two CCs to Government Pleader for Social Welfare and Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

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